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no longer complain that he is without an institutional law book, exactly adapted to the needs of the common law learner, whether he pursues his studies in the venerable Lincoln's Inn, in London, at the justly celebrated Dane Hall, in Cambridge, or within the classic walls of the Pennsylvania University, or the Philadelphia Law Academy.

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PENNSYLVANIA STATE REPORTS, Vol. XXXIII., comprising Cases adjudged in the Supreme Court of Pennsylvania. By JOSEPH CASEY, State Reporter. Vol. IX., containing cases decided in January and May Terms, 1859. Philadelphia: Kay & Brother, Law Booksellers, Publishers and Importers, No. 19 South Sixth Street. 1859.

We are again furnished with a volume of our State Reports, and with a promptitude that deserves every commendation, the cases are brought down to the end of May Term, 1859. The volume is much like its predecessors, and perhaps the most satisfactory notice is to call attention to some cases which deserve special remark: thus *Helfrich vs. Commonwealth*, p. 68, holds that the offence of adultery consists in sexual intercourse by a married person with any one not his or her wife or husband, and, therefore, a married man may be guilty of adultery by carnal intercourse with a single woman. In *Haverstick vs. Sipe*, p. 368, the law of ancient lights seems to be held in accordance with the common understanding of the profession, that the grant of an easement for light and air is not implied from the fact that such a privilege has been long enjoyed. In *Borrell vs. Borrell*, p. 492, the court held that one tenant in common may maintain *assumpsit* against his co-tenant to recover a share of the profits, upon proof that the whole was received by the defendant. In such case the law raises an implied promise to pay over the plaintiff's share, and he is not driven to his action of account render. In *Baker vs. Lewis*, p. 301, some very sound law on the subject of collision is enunciated, where the court held that he who moors his craft at an accustomed landing, must be careful to leave sufficient room for the passage of other boats, but the law requires no more of him; and in case of collision with a moving craft, he is not responsible in damages. The vessel in motion must, if possible, steer clear of and avoid one moored or at anchor; and in case of injury to the latter by the former, no excuse will avail but unavoidable accident, or that *vis major* which no human skill or precaution can guard against or pre-

vent. In *The Sunbury and Erie R. R. vs. Cooper*, p. 278, and *Menges vs. Dentler*, p. 495, there is some discussion of constitutional law which is well worth study; but the points are too elaborate to be given briefly, and too long to be stated in full. The case of *McQuesney vs. Hiester*, p. 435, is of some importance. By it questions arising under ground rents, in relation to limitations, are to be determined. The court held that a ground rent reserved by deed is not within any statute of limitations, nor is it subject to a legal presumption of extinguishment from mere lapse of time. But the arrears of a ground rent are presumed to be paid, after the lapse of twenty years, unless there exist repelling circumstances, which raise a counter presumption. The *Pennsylvania R. R. vs. Zebe*, p. 318, on the law of damages, is a very interesting and an important case. It is printed in our present number, and was in type before the publisher favored the profession with 33 State Reports. *Cornpropst's Appeal*, p. 537, holds that insolvency renders a person, otherwise entitled, incompetent to receive a grant of letters of administration; those interested in the estate are entitled to the security of an administrator's personal liability as well as that of his bail—a sound doctrine, from which none will dissent. *Vaughan vs. Haldeman*, p. 522, is a judicial determination of a question which has long been practically settled in Philadelphia, that gas fixtures, such as chandeliers and side-brackets, put up and attached to the gas pipes by the owner of the premises, are mere personal property, not fixtures, in the proper sense of the term, and do not pass by a sheriff's sale of the real estate. The volume as a whole is interesting, and will be read with satisfaction both within and without the State. It is printed in the usual satisfactory manner of our friends, the Messrs. Kay, the publishers.

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REPORTS OF CASES ARGUED AND DETERMINED IN THE SUPREME COURT, AND THE COURT OF ERRORS AND APPEALS, OF THE STATE OF NEW JERSEY. ANDREW DUTCHER, Reporter. Vol. III. Trenton: published by the Reporter. Phillips & Boswell, printers, No. 4 Chancery Court. 1859. pp. 680.

Our friends in New Jersey have latterly sent us pretty good volumes of Reports. Certainly they contain much good law, and certainly they are well printed. This third volume is much like its predecessor, the second, with which a marked improvement in the typographical reportorial execution of the reports commenced. As we understand the matter, the New Jersey